



Atty. Dkt. No. 085449-0122

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hanswalter ZENTGRAFT et al.

Title: CANCER DIAGNOSIS BY THE MEASUREMENT OF  
NUP88 IN BODY SAMPLES

Appl. No.: 09/684,890

Filing Date: 10/10/2000

Examiner: Stephen L. Rawlings

Art Unit: 1642

**AFFIDAVIT UNDER 37 CFR 1.132**

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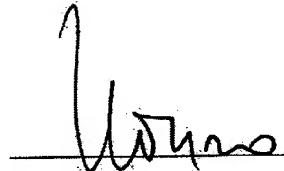
Sir:

The affidavit following on page 2 is responsive to the non-final Office Action mailed on August 13, 2004, concerning the above-referenced patent application. Applicants submit herewith a declaration in compliance with 37 CFR § 1.132 stating that the amendatory material consists of the same material incorporated by reference.

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1. I, Angel Alonso, am a Professor at the German Cancer Research Center in Heidelberg leading the research group of cell differentiation. I have been employed at the German Cancer Research Center for 34 years.
2. I am a co-inventor of U.S. Serial No. 09/684,890. Furthermore, I am a co-author of Martinez *et al.*, 1999, Cancer Research 59, 5408-5411, the disclosure of which is incorporated into the present application by reference to that publication. See page 4, lines 2-4 of the originally-filed application.
3. Herewith, I declare that the amino acid sequence of SEQ ID NO: 2 recited in present claims 13, 23, and 24, and as presented in Applicants' Sequence Listing of October 7, 2003, is identical in amino acid sequence to the sequence set forth as GenBank™ accession number Y08612 cited in Martinez *et al.*, *supra*.
4. Accordingly, I declare that the amendatory material consists of the same material incorporated by reference in U.S. Serial No. 09/684,890.

Heidelberg, February 09, 2005



Prof. Dr. Angel Alonso

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